

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ROCKWELL AUTOMATION, INC. and ROCKWELL
AUTOMATION TECHNOLOGIES, INC.,

Plaintiffs,

-against-

WAGO CORPORATION and WAGO
KONTAKTTECHNIK GmbH & CO. KG,

Defendants.

Case No. 3:10-CV-718-WMC

**DECLARATION OF PAUL J. TANCK IN SUPPORT OF PLAINTIFFS’
OPPOSITION TO WAGOS’ MOTION FOR LEAVE TO
SUPPLEMENT THE EXPERT REPORT OF DR. RICHARD HOOPER
AND TO AMEND ACCORDINGLY ITS INVALIDITY CONTENTIONS**

I, Paul J. Tanck, declare as follows:

1. I am an associate with the law firm of Chadbourne & Parke LLP, counsel to plaintiffs Rockwell Automation Technologies Inc. and Rockwell Automation Inc. (collectively “Rockwell”) in this action. I make this declaration based on personal knowledge.

2. Attached hereto as Exhibit 1 is a true and correct copy of defendants Wago Corporation’s and Wago Kontakttechnik GmbH & Co. KG’s (“Defendants”) Contentions of Invalidity and Unenforceability, dated September 30, 2011.

3. Attached hereto as Exhibit 2 is a true and correct copy of Defendants’ Supplement to Contentions of Invalidity and Unenforceability, dated October 7, 2011.

4. Attached hereto as Exhibit 3 is a true and correct copy of Defendants’ Second Supplement to Contentions of Invalidity and Unenforceability, dated November 22, 2011.

5. Attached hereto as Exhibit 4 is a true and correct copy of Defendants’ Disclosure of Liability Expert as to Patent Invalidity, dated February 24, 2012.

6. Attached hereto as Exhibit 5 is a true and correct copy of the Declaration of Richard Hooper, Ph.D., P.E., dated February 23, 2012.

7. Attached hereto as Exhibit 6 is a true and correct copy of the Supplemental Declaration of Richard Hooper, Ph.D., P.E., dated March 22, 2012, and transmittal letter dated March 23, 2012.

8. Attached hereto as Exhibit 7 is a true and correct copy of transmittal letters or emails indicating the production of the following documents:

- SOFTPLC000001-SOFTPLC000245 – August 13, 2012
- WCP032928-WCP033098 – August 14, 2012
- SOFTPLC000246-SOFTPLC000257 – August 14, 2012
- WKT233279-WKT233714 – August 17, 2013
- WCP033099-WCP033275 – August 20, 2012
- SOFTPLC000258-SOFTPLC000521 – August 20, 2012
- SOFTPLC000522-SOFTPLC000591 – August 22, 2012
- Unstamped copy of EBS000001-EBS000016 – August 30, 2012. A Bates stamped copy of these documents was produced on September 5, 2012.
- SOFTPLC000592-SOFTPLC001333 – September 1, 2012
- WKT367156-WKT368118 – September 5, 2012
- EBSNET000001-EBS000071 – September 5, 2012

I declare under the penalty of perjury under the law of the United States that the foregoing is true and correct.

Executed In New York, New York on September 14, 2012.

/s/ Paul J. Tanck
Paul J. Tanck (admitted in W.D. Wis.)
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COUNSEL FOR PLAINTIFFS ROCKWELL
AUTOMATION, INC. & ROCKWELL
AUTOMATION TECHNOLOGIES, INC.

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of September, 2012 a copy of the foregoing was electronically filed with the Clerk of the Court using the ECF system which will send notification of such filing to the attorneys of record.

I declare under the penalty of perjury under the law of the United States that the foregoing is true and correct.

Dated: September 14, 2012

/s/ Lisa Schapira
Lisa Schapira (admitted in W.D. Wis.)
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